

United States District Court
for the
Western District of New York



United States of America

v.

AKRAM MARSEET,

Case No. 24-MJ-500

Defendant

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief. On or about January 10, 2024, in the County of Monroe, in the Western District of New York, the defendant violated:

Code Section

18 U.S.C § 115(a)(B)

Offense Description

threatening to assault, kidnap, or murder, a United States official, a United States judge, a Federal law enforcement officer, or an official whose killing would be a crime under such section with intent to impede, intimidate, or interfere with such official, judge, or law enforcement officer while engaged in the performance of official duties, or with intent to retaliate against such official, judge, or law enforcement officer on account of the performance of official duties

This Criminal Complaint is based on these facts:

See attached affidavit.

Continued on the attached sheet.

Chad Eaton, Deputy United States Marshal

Sworn to and subscribed before me this

11th day of January, 2024

ELIZABETH A. WOLFORD, CHIEF JUDGE
WESTERN DISTRICT OF NEW YORK

City and State: Rochester, New York

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

24-MJ-500

-v-

AKRAM MARSEET,

Defendant.

AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT

State of New York)
County of Monroe) SS:
City of Rochester)

I, Chad Eaton, being duly sworn, state the following:

1. I am a Deputy United States Marshal (DUSM) with the United States Marshals Service (USMS). I have been so employed by the USMS since September of 2020 and I am currently assigned to the Western District of New York, Rochester Office. Before joining the USMS, I was employed with the Livingston County Sheriff's Office (LCSO) as a Deputy Sheriff from June of 2014 to September of 2020. From June of 2014 until January of 2019, I was assigned to the jail division and in January of 2019, I joined the road patrol division. During some of my time with the LCSO, I was also assigned to the Special Weapons and Tactics (SWAT) team, Hostage Negotiations, and Underwater Search and Recovery. I have attended the New York State Basic Course for Corrections Officers, New York State Basic

Course for Police Officers, and the Federal Law Enforcement Training Center in Glynco, Georgia, where I received training in investigating violations of the state/federal laws. During my time as a law enforcement officer with both the LCSO and the USMS, I have investigated and participated in cases involving violations of state and federal firearms offenses, assaults, threats of violence, and in the execution of multiple search and arrest warrants. As a Deputy United States Marshal, I am a federal investigative or law enforcement officer.

PURPOSE OF AFFADAVIT

2. This affidavit is submitted in support of a Criminal Complaint charging AKRAM MARSEET with violating Title 18, United States Code, Section 115(a)(1)(b) (threatening to assault, kidnap, or murder, a United States official, a United States judge, a Federal law enforcement officer, or an official whose killing would be a crime under such section with intent to impede, intimidate, or interfere with such official, judge, or law enforcement officer while engaged in the performance of official duties, or with intent to retaliate against such official, judge, or law enforcement officer on account of the performance of official duties). The assertions made herein are based upon my personal knowledge and participation in this investigation, and from information I have received from other law enforcement agents and officers, all of which I believe to be true and accurate. Since this affidavit is being submitted for the limited purpose of establishing probable cause that AKRAM MARSEET violated Title 18, United States Code, 115(a)(1)(b), it does not include each and every fact known to me concerning this investigation. Rather, I have set forth sufficient facts to establish that probable cause exists to believe that AKRAM MARSEET committed the subject offense. Further, I have had

discussions with officers involved in this investigation who have confirmed the accuracy of the information contained within this affidavit.

BACKGROUND

3. MARSEET is currently the plaintiff in a civil case (6:20-cv-7096) which alleges that on or about the fall of, 2020, in the City of Rochester, County of Monroe, Western District of New York, MARSEET was the victim of discrimination at his place of employment, Rochester Institute of Technology. The case had been pending in the United States District Court for the Western District of New York before the Honorable Frank Geraci. On January 10, 2024, Hon. Geraci ruled with the following judgement: “the complaint is dismissed with prejudice and the case is closed”.

FACTS ESTABLISHING PROBABLE CAUSE

4. On or about January 10, 2024, Deputy United States Marshals (DUSM) Chad Eaton was contacted by Acting Judicial Security Inspector Jon Serdula that a direct threat had been received to a protected persons. The threat was conveyed via a telephone call to the Clerks’ Office main line for the Western District of New York and encompassed persons protected by the United States Marshals Service. The call was answered by an employee of the Clerk’s Office who serves as an intake clerk for the Western District of New York Clerk’s Office (hereinafter “Intake Clerk”).

5. At approximately 1:18 in the afternoon, the Intake Clerk received a phone call to the main office line. The caller identified himself as Akram MARSEET, with a caller id

phone number displayed as 720-470-6826. MARSEET stated a pending case number of "6:2020-CV-7096" and began to discuss the details of the case.

6. I spoke to other employees of the clerk's office, and at least two of them had personally met with MARSEET at the intake window at the Clerk's Office on multiple prior occasions and were familiar with him, his phone number and his appearance.

7. The Intake Clerk has spoken to MARSEET several times in the past and was able to recognize his voice. When the Intake Clerk has spoken to MARSEET in the past, Intake Clerk has provided him with docketed information in accordance with his departments policy and official duties.

8. MARSEET became very agitated during the conversation due to his case being dismissed (January 10, 2024) by District Judge Frank Geraci. MARSEET made several statements regarding Magistrate Judge Marian Payson and Judge Geraci as being "dirty sons of bitches" and criminals.

9. MARSEET then made the following statement "If I ever come across any of you, you will be dead sons of bitches". MARSEET was referring to the Intake Clerk, Judge Payson, and Judge Geraci. Judge Payson was the Magistrate Judge assigned to the case and Judge Geraci was the District Judge Assigned to the case.

10. I obtained a signed statement from the Intake Clerk detailing the facts of the telephone call. The Intake Clerk stated that based on the conversation, he felt intimidated that MARSEET had threatened his well being while performing his official duties.

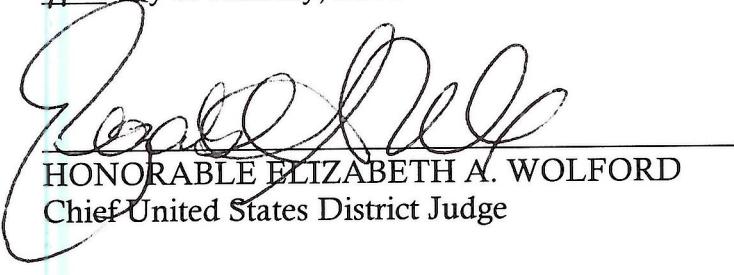
11. Based on the above information, there is probable cause to believe that on or about January 10, 2024, Akram MARSEET violated Title 18, United States Code, Section 115(a)(1)(b) (threatening to assault, kidnap, or murder, a United States official, a United

States judge, a Federal law enforcement officer, or an official whose killing would be a crime under such section with intent to impede, intimidate, or interfere with such official, judge, or law enforcement officer while engaged in the performance of official duties, or with intent to retaliate against such official, judge, or law enforcement officer on account of the performance of official duties).



Chad Eaton
Deputy United States Marshal

Sworn to and subscribed before me this
11th day of January, 2024



HONORABLE ELIZABETH A. WOLFORD
Chief United States District Judge